



RECEIVED
CENTRAL FAX CENTER
JUN 27 2005

FACSIMILE COVER SHEET

Date: June 27, 2005

To: Group 1654
Examiner: Susan B. McCormick Ewoldt

From: Darlene A. Vanstone
Registration No. 35,729

Fax Number: (703) 872-9306

Subject: **Paper:** Supplemental Information Disclosure Statement
Docket No.: 4010.3004 US1
Applicants: Bernadene Ann Magnuson, *et al.*
Serial No.: 10/795,967
Filing Date: March 8, 2004

RECEIVED
OIPE/IAP
JUN 28 2005

Number of pages including this cover sheet 5

Please confirm receipt of facsimile: Yes X No _____

Comments:

Privileged and Confidential - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who received this communication in error is asked to notify us immediately by telephone and to destroy the original message or return it to us at the above address via first class mail.

Docket No: 4010.3004 US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENTER****JUN 27 2005**

Applicants: Bernadene Ann Magnuson, Monica M. Giusti, Minnie Malik and Cuiwei Zhao

Application No.: 10/795,967 Group Art Unit: 1654

Filed: March 8, 2004 Examiner: Susan B. McCormick Ewoldt

Confirmation No.: 8630

Title: ANTHOCYANIN-RICH COMPOSITIONS AND METHODS FOR INHIBITING CANCER CELL GROWTH

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
6/27/05	<i>Rachel Meehan</i>
Date	Signature
RACHEL MEEHAN	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☒ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper. (Filed after payment of issue fee)

10/993,208

- 2 -

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☒ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

(Applies to original applications (other than design) filed on or after May 29, 2000)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in -§ 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are not enclosed.
- ☒ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

10/993,208

- 3 -


It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account ☐ in the amount of [\$]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 502807.

Respectfully submitted,

ELMORE, CRAIG & VANSTONE, P.C.

By 

Darlene A. Vanstone

Registration No.: 35,729

Telephone: (978) 251-3509

Facsimile: (978) 251-3973

Chelmsford, MA 01863

Dated: 6/27/05

PTO-1449 REPRODUCED SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION July 23, 2005 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 4010.3004 US1		APPLICATION NO. 10/795,967	
	FIRST NAMED APPLICANT Bernadene A. Magnuson			
	FILING DATE March 8, 2004		CONFIRMATION NO. 8630	GROUP 1654

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AC	6,818,234	11-16-2004	Nair, <i>et al.</i>
	AD	2001/0049349	12-06-2001	Chinery, <i>et al.</i>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
----------	-----------------